

COMMONWEALTH OF VIRGINIA
BOARD OF EDUCATION
RICHMOND, VIRGINIA

October 28, 1998

MINUTES

The Board of Education and the Board of Vocational Education met for the regular business meeting in Senate Room B of the General Assembly Building in Richmond, Virginia, on Wednesday, October 28, 1998 with the following members present:

Mr. Kirk T. Schroder, President	Senator John W. Russell
Senator J. Brandon Bell, Vice President	Mrs. Ruby W. Rogers
Mrs. Jennifer C. Byler	Mrs. Lil Tuttle
Mr. Mark C. Christie	
Mrs. Susan T. Noble	Mr. Paul D. Stapleton
	Secretary and Superintendent of
	Public Instruction

Mr. Schroder, president, presided and called the meeting to order at 9:25 a.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

Senator Russell gave the invocation and led in the Pledge of Allegiance

APPROVAL OF MINUTES

Senator Russell made a motion for approval of the minutes of the September 29 meeting. Copies of the minutes had been distributed previously to all members of the Board for review. The motion was seconded by Susan Noble and carried unanimously.

APPROVAL OF AGENDA

Mr. Schroder moved *Item GCAnnual Report: Virginia State Special Education Advisory Committee* to the first agenda item. The motion was made by Mrs. Tuttle, seconded by Mrs. Noble, and carried unanimously for approval of the amended agenda.

CONSENT AGENDA

The motion was made by Senator Russell, seconded by Mrs. Noble, and carried unanimously for approval of the consent agenda.

- \$ Final Review of Recommendations Concerning Applications for Literary Fund Loans
- \$ Final Review of Recommendations Concerning Release of Literary Fund Loans for Placement on Waiting List
- \$ Final Review of Financial Report on Literary Fund

Final Review of Recommendations Concerning Applications for Literary Fund Loans

The Department of Education's recommendation for approval of one new application in the amount of \$5,000,000 subject to review and approval by the office of the Attorney General pursuant to Section 22.1-156, *Code of Virginia*, was accepted by the Board of Education's vote on the consent agenda.

COUNTY, CITY, OR TOWN	SCHOOL	AMOUNT
Montgomery County	Elliston/Shawsville High	5,000,000.00
	TOTAL	\$5,000,000.00

Final Review of Recommendations Concerning Release of Literary Fund Loans for Placement on Waiting List

The Department of Education's recommendation is that funding for one project in the amount of \$5,000,000 be deferred and the project be placed on the First Priority Waiting List. The Board also approved the Giles County supplemental application in the amount of \$238,700 for the Macy McClaugherty project. This project was released in September, but this increase needs to be approved for the interest rate subsidy program offered by VPSA.

First Priority Waiting List

COUNTY, CITY, OR TOWN	SCHOOL	AMOUNT
Montgomery County	Elliston/Shawsville High	5,000,000.00

	TOTAL	\$5,000,000.00
--	--------------	-----------------------

Final Review of Financial Report on Literary Fund

The Department of Education's recommendation to approve the financial report on the status of the Literary Fund as of August 31, 1998, was accepted by the Board of Education's vote on the consent agenda.

RECOGNITION OF STUDENTS

The following students were recognized and presented with Resolutions:

Mark Roush, Douglas Freeman High School, Henrico County
Sonya Chung, Mills Godwin High School, Henrico County
Nicole Pleasants, Highland Springs High School, Henrico County

DISCUSSION OF CURRENT ISSUES

There was no discussion on current issues.

PUBLIC COMMENT

There were no speakers for public comment.

DISCUSSION ITEMS

Annual Report from State Special Education Advisory Council

The Virginia State Special Education Advisory Committee is required under the Individual with Disabilities Education Act. The Committee is to advise the Board of Education on unmet needs in the education of children with disabilities and on policies and strategies to meet these needs.

The report was presented to the Board by Dr. Thomas W. D. Smith, Chair, Special Education Advisory Committee. Dr. Smith reviewed major issues studied by the committee during the 1997-98 year. They were : The Virginia Comprehensive State Assessment System, Special Education Teacher Licensure, Revision of the Virginia Standards of Accreditation, Virginia Commission on the Future of Public Education,

Comprehensive Services for Children and Youth in Virginia, and Individual with Disabilities Education Act (IDEA) of 1997.

The Board accepted the Annual Report of Virginia State Special Education Advisory Committee.

First Review of SB174, Guidelines for Appropriate Etiquette and Conventions for Respecting the Dignity of the Flag

On December 16, 1997, the Board of Education adopted Pledge of Allegiance Guidelines. SB 174 was approved by the 1998 Virginia General Assembly to amend the said guidelines to include appropriate etiquette and conventions for respecting the dignity of the flag.®

Dr. James Laws, Executive to Board of Education, informed members that various organizations, the Attorney General's Office and Instruction staff of Department of Education have reviewed the proposed, amended language in the *Guidelines on Recitation of the Pledge of Allegiance*. A public hearing on the amendments will be held in January.

The report was received for first review and will be on final review at the February meeting.

First Review of HJR 243, Student Career Planning

HJR 243 directs the Board of Education to study the feasibility of establishing various methods and tools designed to focus students' attention on future education and career plans.® Objectives of the study include determining feasibility, examining state law and regulations, describing resources and best practices available, providing examples of business-education linkages, and formulating recommendations concerning career information and planning in the Commonwealth.

Major elements of the study relate to components of HJR 243. These elements include the following: examination of the feasibility of establishing certain methods and tools designed to focus students' attention on future education and career plans; Virginia law and regulations concerning career planning and information, including those contained in the Standards of Quality; career guidance resources available within the state and nationally; characteristics of the current workplace, the importance of business-education partnerships in career exploration and planning; conclusions resulting from the study; and seven key recommendations to enhance career planning in the Commonwealth.

The report was presented by Dr. Jo Lynne DeMary, Assistant Superintendent, Instruction and Dr. Kay Brown, Specialist, Vocational Education.

Mr. Christie made a motion for Board members to be given one month to present their comments before the report is sent to Virginia Business Education Partnership for their recommendations. The motion was seconded by Mrs. Byler and carried unanimously

Update on the Application for Federal Charter School Funds

At the June, 1998 meeting of the Board of Education, the Board was informed that Virginia is eligible to compete for federal charter school startup funds. The application would not be available until the end of July and would be due by mid-August for consideration for funding. Since the Board would not be meeting until after the application would be submitted, Mr. Schroder and Senator Bell were asked to review the application when it was ready, and the Department of Education was authorized to submit an application for competition. The Department of Education understood that they would be notified by September 30 of the results of the grant competition. On October 6, the department was notified that Virginia was not selected to receive federal charter school funds.

The Federal Charter Schools Grant provides funds to be awarded as subgrants for startup costs to charter schools after they have been approved by local school boards. These grants support federal goals for charter schools and are recognized as very helpful to groups planning charter schools.

Diane Atkinson, Assistant Superintendent, Policy and Public Affairs, reviewed the summary of comments from reviewers of Virginia's charter schools which listed the strengths and weaknesses of the application.

Mrs. Tuttle suggested that Virginia get copies of applications from states that did receive federal charter school funds and compare with those applications.

Mr. Schroder asked David Blount, VSBA, to comment on what they are doing in reference to federal charter school applications.

Senator Bell and Senator Russell were asked to work with Mr. Schroder on the federal charter schools.

Issues and Concerns Surrounding SOL Testing of Students with Limited English Proficiency

Throughout the process of revising the *Regulations Establishing Standards for Accrediting Public Schools in Virginia* in 1996-97, the Board of Education received comments on the effect of the proposed SOL testing requirements on students identified as Limited English Proficient (LEP). As a result of those comments, the Board included provisions in the standards to make some allowances for LEP students and schools with large populations of those students.

Mr. Charles Finley, Director of Accreditation, spoke on issues concerning LEP students that were raised at meetings held in August, attended by the education committees of the legislature and the Board. Additional issues were raised at a meeting held in Fairfax County on October 22 where the Board president and several staff members of the Department of Education met with legislators and local education

officials who work with LEP students.

To provide elements of fairness, assist LEP students, and provide flexibility for schools with significant populations of these students when reporting the results of SOL testing, it is recommended that:

- % the scores of limited English proficient students be excluded from the calculation and reporting of schools=passing rates on SOL testing for the school year 1997-98 and, and at the request of the division superintendent and school board, again in 1998-99.
- % an explanation of the exclusion of these scores in the calculation be provided on the School Performance Report Card.
- % the Department review the procedures in place and develop a proposal to address accommodations and tolerances for Individualized School Accreditation Plans (ISAPs) on the following timelines, if possible:
 - / first proposal to be presented at the November meeting of the Board
 - / final proposal to be presented at the January meeting of the Board
- % the development of the proposal will include superintendents and professionals trained in working with limited English proficient students from across the state.

Mrs. Byler made a motion to adopt staff recommendations. The motion was seconded by Mr. Christie and carried unanimously.

Issues and Concerns Regarding the Alignment of the History and Social Science SOL Tests with the SOLs at Grades 5 and 8

In May of 1996, the Department issued a Request for Proposals (RFP) for the procurement of contractual services to assist in the development of an assessment program to assess the newly revised Standards of Learning (SOLs). Attachment F of that RFP outlined the specific content that should be assessed in each test. This document set the foundation for the development of the SOL tests. In Attachment F, the content of the grade 5 History and Social Science SOL test was noted as "Virginia Studies Since 1607". This is the body of the standards delineated as grade 4 in the *Standards of Learning for Virginia Public Schools, June 1995*. In this same document the content for the grade 8 History and Social Science SOL test was noted as "U. S. History to 1877", "U. S. History Since 1877", and "Civics and Economics". This is the body of content delineated as the grades 5, 6, and 7 SOLs.

While the content of the tests has been communicated to school divisions via Superintendent's Memos, workshops and test blueprints, there is a continuing concern regarding the alignment of the SOL test content with the SOLs published for the various grade levels. Some school divisions aligned their curriculum with the tests while others did not.

The content outlined in the SOLs for grade 8 itself is World History to 1000 A.D. which is

covered, coupled with world geography, as a separate high school test.

Recommendations

% To accommodate the school division who have aligned their curriculum to the printed SOLs for a grade level rather than to the test specifications, as well as accommodate those who have aligned to the test specifications, the most equitable solution is to allow students to be administered the History and Social Sciences tests for these grade levels as follows:

1. Allow the Grade 5 History and Social Science Test to be administered to students in either grade 4 or grade 5.
2. Allow the Grade 8 History and Social Science Test to be administered to students in either grade 7 or grade 8.

Mrs. Byler made a motion to accept the recommendations. The motion was seconded by Senator Russell and carried unanimously.

Issues and Concerns Regarding the Timing of SOL Testing

There has been continued concern regarding the timing of the administration of the SOL tests. The *Standards for Accrediting Public schools in Virginia* include the following requirements:

8VAC 20-131-30.B Schools shall use the SOL test results as part of the multiple set of criteria for determining advancing or retaining students in grades 3, 5, and 8.

8 VAC 20-131-30.C Middle and secondary schools may consider the student's end-of-course SOL test score in determining the student's final course grade.

These requirements necessitate the receipt of SOL test scores before the close of the school year or semester.

Mr. Schroder stated that the Board will continue to work with localities in trying to find a solution on this issue.

There was a lengthy discussion on using terms *Apassing*®, *Afailing*® and *Abeing proficient*®. The Standard Setting Committee suggested using *Apass/proficient*® or *Apass/advance*®. Mrs. Joan Murphy of the Attorney General's Office suggested using the two words together for now. Mrs. Noble made a suggestion to use Proficient (Pass).

Mr. Christie made a motion to amend the designation of proficient to use Pass (Proficient). The

motion was seconded by Mrs. Tuttle and carried unanimously.

Board Members= Experience with Public Comment at Public Hearings

Mr. Christie attended the public hearing at John Marshall High School in Richmond City. He said the chair of the Math Department at Huguenot High School said that students do well with Algebra in 11th or 12th grade but not in the 9th grade.

Senator Russell attended the public hearing at Marshall High School in Fairfax. He said most questions dealt with advanced scores.

Decision Regarding Passing and Advanced Scores on the Standards of Learning (SOL Tests)

On September 3, the Board of Education announced the timetable and activities for setting SOL tests passing scores. At its September 29 meeting, the Board issued a statement regarding the principles and considerations that would be used in the setting of the passing scores.

On October 8, the Board recognized the Standard Setting Advisory Committee and the eight Standard Setting Committees who were crucial in providing input to the Board leading to the setting of the passing scores. At the October 8 meeting, ranges of scores recommended for consideration when determining **Proficient** and **Advanced** performance were presented to the Board by each of the eight Standard Setting Committees. Four public hearings were held on October 22 to receive public comment regarding the establishment of the passing scores.

RECESS

The board recessed for the evening at 3:25 p.m.